

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

**DAMON McGHEE and
JULIE McGHEE,**

Plaintiffs,

V.

**STATE FARM AND CASUALTY
COMPANY,**

Defendant.

Case No. 4:23 cv 01009-HEA

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on Plaintiffs’ Consolidated Motions in Limine. Defendant has filed a response to the Consolidated Motions In Limine.

Plaintiffs' Motion in Limine #1 seeks to exclude Defendant from making any argument or offering any evidence that the lawsuit by Plaintiff is improper. The Court will grant this motion by consent of the parties.

Plaintiffs' Motion in Limine #2 seeks to exclude any evidence, argument, suggestion, or reference related to Wendler & Zinzilieta, P. C. The Court will grant this motion by consent of the parties.

Plaintiffs' Motion in Limine #3 seeks to exclude any and all evidence, argument, suggestion, or reference to Plaintiffs continuing to remain a State Farm customer. The Court will grant this motion by consent of the parties.

Plaintiffs' Motion in Limine #4 seeks to exclude Defendant from making any mention of any good faith actions taken after litigation was filed such as later payments or settlements. The Court will take this motion with the case subject to some relevance as referenced in the response to the motion by Defendant.

Plaintiffs' Motion in Limine #5 seeks to exclude Defendant from making any reference in front of the jury regarding or appealing to the personal interests of the jury. The Court will grant this motion by consent of the parties.

Plaintiffs' Motion in Limine #6 seeks to exclude any references to any prior lawsuits, settlements, or insurance claims by the plaintiffs. The Court will grant this motion by consent of the parties.

Plaintiffs' Motion in Limine #7 seeks to exclude Defendant from making any reference to any defenses which Defendant did not raise at the time of denial. The Court will take this matter with the case in light of the response by Defendant to the Motion.

Plaintiffs' Motion in Limine #8 seeks to exclude Defendant from making arguments comparing a lawsuit to playing the lottery. The Court will grant this motion by consent of the parties.

Plaintiffs' Motion in Limine #9 seeks to exclude Defendant from using data not produced in response to discovery requests. The Court will grant this motion by consent of the parties.

Plaintiff's Motion in Limine #10 seeks to exclude Defendant from making any reference to the failure of Plaintiffs to call as a witness any persons to whom Defendant has equal access. The Court will grant this motion by consent of the parties.

Plaintiff's Motion in Limine #11 seeks to exclude Defendant from making any reference that the time period between the loss, when Plaintiffs retained counsel, and the filing of the law suit gives rise to an inference of litigious Plaintiffs or his counsel or that the time period bears upon the credibility of the Plaintiffs. The Court will grant this motion by consent of the parties.

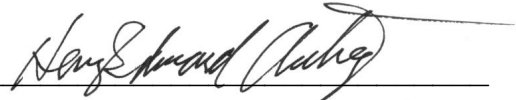
Plaintiff's Motion in Limine #12 seeks to disallow Defendant from having any discussion with excluded witnesses about trial testimony. The Court will grant this motion by consent of the parties.

Plaintiff's Motion in Limine #13 seeks to preclude Defendant from suggesting that any former defendant or non-defendant may be responsible for Plaintiffs' injuries. The Court will grant this motion by consent of the parties.

Accordingly,

IT IS ORDERED Plaintiffs' Consolidated Motions in Limine is **GRANTED** except for those motions referenced as being taken with the trial.

Dated this 14th day of March, 2025.

A handwritten signature in black ink, reading "Henry Edward Autrey", is positioned above a horizontal line. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE